

# **Transparency in Government Act**

**Rep. Mike Quigley**

## **Section-by-Section**

### **Title I – Improving Access to Information About Members of Congress**

#### **Sec. 101. Greater Disclosure and Electronic Filing of Personal Financial Information.**

Requires Members, officers and specified government employees to provide more detailed information on their financial disclosure reports, and requires these reports to be filed electronically and posted for public review within 48 hours.

Requires financial disclosure reports of Members, officers and specified government employees to use a rounding system when reporting assets, unearned income, and liabilities over \$25,000. When reporting amounts greater than \$25,000, filers must round to the nearest ten thousand for amounts up to \$100,000, round to the nearest hundred thousand between \$100,000 and \$1 million, and round to the nearest million for all amounts totaling \$1 million or more.

Requires more frequent disclosures of financial transactions involving large sums of money. Requires filing of quarterly reports detailing any transaction valued at \$250,000 or more.

#### **Sec. 102. Greater Disclosure of Foreign Travel Reports**

Requires Members to file foreign travel reports electronically and requires the Clerk to make these reports available online within 48 hours of the submission deadline in a searchable, sortable, downloadable format.

#### **Sec. 103. Greater Disclosure of Gift Reports**

Requires Members to file gift disclosure reports electronically and requires the Clerk to make the reports available on the Internet within 48 hours of filing in a searchable, sortable, downloadable format.

#### **Sec. 104. Greater Disclosure of Earmarks**

Requires Members to post their earmark requests on their websites within 24 hours of submitting requests, and requires the committees accepting requests to post all earmark requests with links to the Members' websites.

Also requires the Clerk and the Secretary in conjunction with the appropriate committees in the House and Senate to work together to create one, centralized database where all earmarks requested are available on the Internet in a searchable, sortable, downloadable format, free of charge to the public.

Earmarks must also be identified as for-profit or not-for-profit.

### **Title II – Enhancing Public Access to the Work of Congressional Committees, Legislation and Votes**

## **Sec. 201. Increase Transparency of Committee Work**

Requires all committees and subcommittees to post public hearings and markup schedules online as soon as information is available to Members of the committee.

Requires committees to post online within 45 days of a hearing or markup the topic, related legislation, testimony of witnesses, opening statements of the chair and ranking members, transcripts and audio and video recordings.

Requires all recorded votes be posted online with 24 hours of the end of the markup.

## **Sec. 203. Increase Transparency of Committee Schedules through the Clerk**

Requires the Clerk of the House to provide, in a structured data format, a complete list of all public hearing and mark-up schedules of committees and subcommittees, including links to committee Web sites.

## **Sec. 204. Increase Transparency of Recorded Votes**

Requires Clerk of the House to publish the recorded votes of each Member in a structured data format, in such a way that it's searchable by each member.

Requires each Member to link to the Clerk's list of recorded votes from their Web sites.

## **Title III – Enhancing Public Access to Congressional Research Service**

### **Sec. 301. Enhance Access to CRS**

Directs the Clerk of the House, in consultation with the Director of CRS, to make publically available online the following CRS information: Issue Briefs, CRS Reports that are available to Members of Congress through the CRS website, and Authorization of Appropriations and Appropriations Products, and requires members and committees to provide links to CRS from their Web sites.

Exempts information deemed confidential by the Director of CRS and any confidential research request made by a Member.

Allows for the removal of personal information of CRS employees and does not require CRS to respond to any request made by the public.

## **Title IV Improve Lobbyist Disclosure Requirements**

### **Sec. 401. Modification to Enforcement**

Requires the Attorney General to establish the Lobbying Disclosure Act Enforcement Task Force, responsible for:

- Investigating and prosecuting cases referred to the Task Force;
- Collecting and disseminating information on the enforcement of the LDA;
- Auditing annually a random sampling of lobbying registration reports to ensure compliance;

- Establishing, publicizing and operation a hotline for reporting of noncompliance with lobbyist disclosure requirements;
- Proposing legislation to Congress on improving compliance and enforcement of the LDA;

Allows the names of firms and individual lobbyists that violate the LDA to be published, unlike current law which forbids the disclosure of specific names.

#### **Sec. 402. Definition of a Lobbyist**

Requires all paid lobbyists to register by closing the “20 percent loophole” which currently allows individuals who spend less than 20 percent of their time lobbying to avoid registration. Retains the other two criteria for registration: (1) Making two or more lobbying contacts and; (2) Receiving payment of a certain amount to lobby.

#### **Sec. 403. Expedited Online Registration of Lobbyists; Expansion of Registrants**

Requires lobbyists to register within 5 days, rather than 45 days, of making a lobbying contact or being hired to make a lobbyist contact.

#### **Sec. 404. Disclosure of Additional Information by Lobbyists**

Requires lobbyists to report each lobbying contact with each covered executive and legislative branch official. If the lobbyist makes a lobbying contact with staff, they will list the office with which they met, not the staff member’s name.

#### **Sec. 405. Disclosure of Political Contributions**

Requires lobbyists to report political contributions quarterly rather than semi-annually, in order to better track contributions from lobbyists.

#### **Sec. 406. Effective Date**

The provisions will take effect within 90 days of the passage of the Act.

### **Title V – Transparency in Federal Contracting**

#### **Sec. 501. Improving Application Programming Interface and Website Data Elements.**

Requires USAspending.gov to provide new information on federal awards, including:

- The same information about lease agreements that is already required for grants and contracts.

- The agency and department as well as subagencies and suboffices that authorized the award.
- Information about the extent of competition in awarding a contract, including, when applicable, an explanation of why a contract was awarded without full and open competition.
- Details about the amount of each contract awarded, including profit incentives and options to expand or extend a contract.
- An indication if an award is the result of a congressionally directed spending item (earmark).

### **Sec. 502. Improving Data Quality**

Improves the quality of the data on USAspending.gov by requiring agency Inspectors General to conduct annual audits of the data used on the website in order to:

- verify its accuracy,
- access processes for improvement,
- determine whether federal agencies have appropriate measures to review data submissions for accuracy, and
- indentify and report on new standards for improving quality.

Requires IGs to submit annual audit information to OMB and requires OMB to issue an annual report reviewing the findings of the IGs and proposing recommendations to improve data quality.

### **Sec. 503. Requirements Relating to Reporting of Award Data.**

Requires OMB to revise the guidance to federal agencies on reporting federal awards to clarify (1) the requirement that award titles describe the award's purpose and; (2) requirements for validating and documenting agency award data submitted by federal agencies.

Requires OMB to include information on the city where work is performed in OMB's public reporting of the completeness of agency data submissions.

### **Sec. 504. Recipient Performance Transparency**

Requires the unique identifier for each awardee to link to information about that awardee on the Federal Awardee Performance Integrity Information System (FAPIIS).

### **Sec. 505. Improve the Federal Awardee Performance and Integrity Information System Database.**

Requires data on FAPIIS to be archived for 10 years.

Requires Federal Awardees to report and FAPIIS to post administrative judgments and legal settlements that do not contain explicit finding or acknowledgement of fault.

### **Sec. 506. Improving Compliance**

Makes completion of particular Federal Acquisition Regulation certifications and the self-reporting requirements of the Clean Contracting Act of 2008 a condition for the award of a contract for the procurement of property or services.

Instructs the Inspectors General of each federal procuring agency to:

- conduct an annual audit of the contract files required by the Clean Contracting Act of 2008 to ensure that federal agencies are appropriately considering the past performance and misconduct of contractors.
- submit a report containing the results of the audit to the appropriate congressional committees.

Instructs the Inspector General of the General Services Administration to:

- conduct an annual audit of the Excluded Parties List System to determine if contractors listed on EPLS are being properly identified by federal agencies with a DUNS or other identifying number.
- submit the results of this audit to the appropriate congressional committees.

Instructs the Comptroller General of the United States to submit an annual report to the appropriate congressional committees describing the overlap between the suspension and debarment lists on the EPLS Database and the list of contractors receiving federal funding on USASpending.gov, or those that have received agency waivers to receive new contracts.

### **Sec. 507. Unique Identifying Number**

Instructs the Inspector General of the General Services Administration to conduct a study on unique identifying numbers that includes:

- a determination of whether the existing system of identifying numbers for contractors is adequately tracking federal awardees.
- an assessment of the feasibility of developing and adopting a new unique federal awardee identification system.

## **TITLE VI - Executive Branch Transparency**

### **Sec. 601. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communications.**

Requires every advertisement or other communication paid for by an Executive agency, either directly or through a contract awarded by the Executive agency, to include a prominent notice informing the target audience that the advertisement or other communication is paid for by that Executive agency.

## **Title VII- Strengthening FOIA**

### **Sec. 701. Digital Access to Completed Responses to the Freedom of Information Act.**

Requires each agency to make all of its completed FOIA requests available online in a structured database that is searchable, sortable, and downloadable; or in a format searchable by text as appropriate, within one month of the date the FOIA request was completed.

## **Title VIII – Enforcement**

### **Sec. 801. Audits by the Government Accountability Office**

Requires the GAO to conduct annual audits of the implementation of the provisions in this act, and to report annually to the Committee on Oversight and Government Reform in the House and Committee on Homeland Security and Governmental Affairs in the Senate.

Specifically, the audits will address whether the legislative and executive branch information that is required to be provided to the public through the Internet is: complete, primary, timely, accessible, machine processable, non-discriminatory, non-proprietary, and license-free.